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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/002,819	11/15/2001	James Macor	501042-A-01-US	6862

7590 01/14/2005

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EXAMINER

GAUTHIER, GERALD

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 01/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/002,819

**Applicant(s)**

MACOR, JAMES

**Examiner**

Gerald Gauthier

**Art Unit**

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 11/15/01.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claim(s) 1-20** are rejected under 35 U.S.C. 103(a) as being unpatentable over Blanchard et al. (US 6,408,191 B1) in view of Lu (US 2002/0164975 A1).

Regarding **claim(s) 1 and 14**, Blanchard discloses a wireless security and access device (column 1, lines 11-14), comprising:

a housing (100 on FIG. 1);

a wireless radio receiver embedded in the housing for receiving notification of an arrived electronic message (column 3, lines 9-13) [The RF receiver 111 is embedded in the housing 100 and received a notification of messages];

a processor and memory embedded in the housing for processing and storing the notification (column 3, lines 33-50) [The CPU 113 and the data memory are embedded in the housing 100 and control all the operation of device];

an indicator for displaying the notification of the arrived message (column 5 lines 8-14) [The user interactive display 210 displays the notification of the message]; and

a radio transmitter embedded in the housing for transmitting a preset unique radio signal (column 3, lines 9-13) [The RF transmitter 111 is embedded in the housing 100 and transmits signal to the communications network].

Blanchard discloses displaying messages screens on the telephone terminal but fails to disclose the preset unique radio signal from the wireless device is adapted to interface with a radio receiver of a personal computer.

However, Lu teaches the preset unique radio signal from the wireless security and access device is adapted to interface with a radio receiver of a personal computer preset to receive the unique radio signal (§ 0018) [The transmitter 115 transmits a triggering signal 120 wirelessly to the receiver of the personal computer 130].

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify Blanchard using the triggering signal to a personal computer as taught by Lu.

This modification of the invention would the mobile phone to transmit a triggering signal to the computer so that the computer would announce a message to notify the user.

Regarding **claim(s) 2, 15 and 19**, Lu teaches the personal computer receiver prompts the computer to perform predetermined actions upon receipt of the unique radio signal (§ 0018).

Regarding **claim(s) 3**, Lu teaches the predetermined actions include turning the personal computer on (§ 0021).

Regarding **claim(s) 4**, Lu teaches the predetermined actions include opening predetermined programs (§ 0019).

Regarding **claim(s) 5**, Lu teaches a display coupled to the processor for activation upon receipt of the notification of an arrived message (§ 0019).

Regarding **claim(s) 6**, Lu teaches a manually operable switch for activating the transmitter to transmit the preset unique radio signal (§ 0022).

Regarding **claim(s) 7 and 17**, Blanchard discloses the device is incorporated into a wireless telephone handset (FIG. 2).

Regarding **claim(s) 8 and 18**, Blanchard and Lu disclose all the limitations of **claim(s) 8** as stated in **claim(s) 1**'s rejection and furthermore Lu teaches transmitting a preset unique radio signal to the computer, wherein the computer is preset to turn on and retrieve the electronic message upon receipt of the preset unique radio signal (§ 0021) [The triggering signal is able to turn on the power supply 320 for the personal computer].

Regarding **claim(s) 9**, Blanchard discloses the notification received in the receiving step is transmitted by a radio transmitter of the personal computer (column 9, lines 32-40).

Regarding **claim(s) 10**, Blanchard discloses the notification received in the receiving step is transmitted by a radio transmitter of a service provider (column 9, lines 32-40).

Regarding **claim(s) 11**, Blanchard discloses all the limitations of claim(s) 11 as stated in claim(s) 1.

Regarding **claim(s) 12**, Lu teaches the personal computer includes a wireless receiver that prompts the computer to perform predetermined actions upon receipt of the unique radio signal (¶ 0018).

Regarding **claim(s) 13**, Blanchard discloses the step of receiving a notification that an incoming message has been received comprises visible or audible activation of the indicator on the wireless security and access device (column 3 lines 33-50).

Regarding **claim(s) 16**, Blanchard discloses the predetermined actions include retrieving the voicemail message (column 6 lines 1-15).

Regarding **claim(s) 20**, Blanchard discloses the step of receiving a notification that an incoming voicemail message has been received comprises visible or audible activation of the indicator on the wireless security and access device (column 5 lines 8-14).

### ***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Babitch et al. is cited for data and voice cordless telephone system (FIG. 1).

Amin et al. is cited for delivering a short-message notification (FIG. 1).

Howell et al. is cited for a universal dictation input apparatus (FIG. 1).


4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald Gauthier whose telephone number is (703) 305-0981. The examiner can normally be reached on 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**GERALD GAUTHIER**  
**PATENT EXAMINER**

g.g.  
December 27, 2004



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